



# NATIONAL PARK SERVICE

## Environmental Audit Program

### EnviroCheck Sheet

*Emergency Planning and Reporting*  
*June 2002 Update*

#### EMERGENCY RESPONSE PLANNING AND REPORTING

Despite meticulous planning, sound management, and careful daily operations, accidental spills of hazardous materials can and do occur. Because a hazardous material release can threaten both human health and environmental conditions, it is important for management to develop and implement a comprehensive response plan to deal swiftly and effectively with any and all hazardous material spills.

NPS facilities store and use regulated hazardous substances in maintenance, water treatment, resource management, sanitation, laboratory operations, and many other activities. To ensure that any emergencies related to hazardous materials receive the most effective response, the U.S. Environmental Protection Agency (EPA) and the U.S. Occupational Safety and Health Administration (OSHA) have established requirements for planning for emergencies. The regulatory requirements are based on the types and quantities of chemicals and other hazardous substances (e.g., lead and mercury) present at an NPS facility.

#### Auditor's Guidelines:

##### Records to Review

- Chemicals inventory
- MSDSs
- Form R reports
- Tier I or Tier II reports sent to state and local emergency planning agencies
- Emergency Response Plans
- Emergency Action Plans
- Hazardous Waste Contingency Plan
- Hazard communication plan

##### Areas to Observe

- Potential locations for hazardous situations and spills
- Chemical storage areas
- Hazardous waste storage/transfer areas
- Fuel storage areas
- Shop activities
- Laboratories
- Wastewater treatment plants (for chlorine)
- Cooling systems (for ammonia)

##### Persons to Contact

- Facility emergency coordinator
- Safety officer
- Emergency dispatchers
- Water treatment operators

#### DEFINITIONS

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*Community or Local Emergency Planning Committee (CEPC or LEPC):* The community or local emergency planning committee appointed by a State Emergency Response Commission (SERC).

*Chemical/Substance descriptions:* Determining applicability of (or understanding) regulations and requirements regarding emergency response depend upon the definition of similar *sounding* terms that have very different meanings. They are:

- Hazardous **chemical** - Any hazardous chemical as defined under 29 CFR 1910.1200(c).
- **CERCLA** Hazardous Substance - A substance on the list defined in section 101(14) of CERCLA.
- **Extremely hazardous substance** (EHS) - A substance listed in the appendices to 40 CFR part 355, Emergency Planning and Notification.
- Hazardous **material** (HazMat) - Any material for which OSHA requires an MSDS, or any material listed in 40 CFR 302.4.

- **Hazardous waste** - A waste that meets the definition in 40 CFR 261.3, or substances defined as hazardous wastes in 49 CFR 171.8.

*Contingency plan:* Procedures designed to minimize hazards to human health or the environment from fires, explosions or accidental release of hazardous waste. Large quantity generators (see definition below) must develop and maintain a contingency plan on site, as found in 40 CFR 265, Subpart D, which outlines the response procedures necessary to minimize the hazards posed by fires, explosions, or unplanned releases of hazardous waste from the facility (40 CFR 262.34(a)(4)). Such a plan is not required for small quantity generators (see definition below), although 40 CFR 262.34(d)(5)(iv) outlines appropriate response procedures.

*Emergency response:* A response effort by employees from outside the immediate release area, or by other designated responders (e.g., local fire departments, etc.), to an occurrence that results, or is likely to result, in an uncontrolled release of a hazardous substance. Responses to incidental releases of hazardous substances where the substance can be absorbed, neutralized, or otherwise controlled at the time of release by employees in the immediate release area, or by maintenance personnel, are not considered to be emergency responses within the scope of OSHA's standards.

*Incidental spill:* A spill, which can easily be controlled by an employee working in the area where the spill occurred at minimal risk to the health and safety of the employee and others. For the NPS, this refers to spills of oil up to 5 gallons, spills of gasoline and other petroleum products that can be cleaned up with a rag or small amount of absorbent, and spills of other hazardous materials as defined by the individual NPS facility.

*Large quantity generator (LQG):* Facility which generates over 1,000 kilograms (kg) of hazardous waste, or over 1 kg of acutely hazardous waste per month. Certain emergency planning and response procedures required under the hazardous waste regulations are dependent upon a facility's generator status.

*Small quantity generator (SQG):* Facility which generates between 100 kg and 1,000 kg of hazardous waste per month. Certain emergency planning and response procedures under the hazardous waste regulations are dependent upon a facility's generator status.

*Preparedness and prevention procedures:* LQGs accumulating hazardous waste on site under 40 CFR 262.34(a) must comply with the preparedness and prevention procedures of 40 CFR 265, Subpart C. These requirements include having an emergency coordinator and testing and maintaining emergency equipment. SQGs are also subject to the preparedness and prevention procedures of 40 CFR 265, Subpart C (40 CFR 262.34(d)(4)).

*Release:* Any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles) of any hazardous chemical, extremely hazardous substance, or CERCLA hazardous substance.

*Reportable quantity:* For any CERCLA hazardous substance, the reportable quantity established in table 302.4 of 40 CFR 302; for any other substance, the reportable quantity is one pound.

*Threshold planning quantity:* For a substance listed in appendices A and B of 40 CFR 355, the quantity listed in the column "threshold planning quantity" for that substance.

## LEGAL REQUIREMENTS

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### Federal

#### *Occupational Safety and Health Administration (OSHA) Requirements*

If a hazardous material spill could occur at a facility, OSHA requires facilities to have either an “Emergency **Action** Plan” or “Emergency **Response** Plan,” depending upon the level of clean-up expected of facility employees. Depending upon the Plan required, employees responding to spills must be trained based on the expected level of response. OSHA also requires the establishment of emergency preparedness and response procedures based on the amount of hazardous waste a facility generates per month.

#### *Emergency Planning and Community Right-To-Know Act (EPCRA) (40 CFR 355 and 370)*

Executive Order 13148, Greening the Government Through Leadership in Environmental Management, requires all federal facilities to comply with EPCRA. Also known as SARA Title III, EPCRA was designed to promote emergency planning and preparedness at both the state and local levels. It provides citizens, local governments, and local response authorities with information regarding the potential hazards in their community. EPCRA requires the use of emergency planning and designates state and local governments as recipients of information regarding certain chemicals used in the community. EPCRA has four major components:

- Emergency planning notification to local emergency planning committees (LEPCs) and provision of information to LEPCs for preparation of comprehensive emergency response plans (Sections 301-303);
- Emergency notification of accidental releases of extremely hazardous substances and CERCLA hazardous substances (Section 304);
- The collection and submission of chemical inventory data (MSDSs and “Tier I” forms) (Sections 311-312); and
- The submission of Toxics Release Inventory (TRI) data, commonly referred to as “Form R” (Section 313).

#### *Resource Conservation Recovery Act (RCRA) (40 CFR 262.34)*

If an NPS facility generates hazardous waste, they are required to comply with “Preparedness and Prevention” and “Contingency Plan and Emergency Procedures” under the Resource Conservation Recovery Act (RCRA). The facility’s required level of preparedness is dependent upon the *amount* of hazardous waste generated monthly.

The regulations at 40 CFR 262.34(a)(4) require large quantity generators (those that generate greater than 1,000 kg (2,200 pounds) of hazardous waste per month) to comply with the requirements in Subparts C and D in 40 CFR part 265. Subpart C outlines “Preparedness and Prevention” requirements. Subpart D outlines “Contingency Plan and Emergency Procedures” requirements.

The regulations at 40 CFR 262.34(d) require small quantity generators (those that generate between 100 and 1,000 kg (220 and 2,200 pounds) of hazardous waste per month) to comply with the Preparedness and Prevention requirements of Subpart C of 40 CFR part 265. SQG Contingency Plan requirements are specified at 40 CFR 262(d)(5).

Federal regulatory requirements are summarized below:

<b>If an NPS Facility...</b>	<b>...Then It Must...</b>	<b>...In Accordance With</b>
Allows its staff only to handle hazardous materials or respond to <i>very</i> small spills...	<ul style="list-style-type: none"> <li>Formulate an Emergency <i>Action</i> Plan.</li> </ul>	29 CFR 1910.38 (OSHA)
Allows its staff to engage in emergency response of hazardous substance releases...	<ul style="list-style-type: none"> <li>Formulate an Emergency <i>Response</i> Plan.</li> </ul>	29 CFR 1910.120 (q) (OSHA)
Maintains, uses, or disposes of “extremely hazardous substances”...	<ul style="list-style-type: none"> <li>Notify the LEPC, informing it of changes involving hazardous materials, and respond to its requests for additional information.</li> <li>Designate an emergency coordinator.</li> </ul>	40 CFR 355.30 (EPCRA)
Has experienced an accidental release of an extremely hazardous substance, or CERCLA hazardous substance above or equal to the TPQ or reportable quantities (RQ)...	<ul style="list-style-type: none"> <li>Notify the LEPC of specific information.</li> <li>Notify the LEPC of any subsequent information concerning actions taken, known or anticipated health effects, and advice for medical follow up.</li> </ul>	40 CFR 355.40 (EPCRA)
Maintains hazardous chemicals in excess of 10,000 pounds or extremely hazardous chemicals above or equal to the threshold planning quantity (TPQ) of 500 pounds or 55 gallons...	<ul style="list-style-type: none"> <li>Provide MSDSs to the Local Emergency Planning Committee (LEPC), and State Emergency Response Commission (SERC).</li> <li>Submit a Tier I inventory, and, if requested, additional inventory information (a Tier II report) to the LEPC, SERC, and local fire department.</li> </ul>	40 CFR 370 (EPCRA)
Uses chemicals listed on the Toxics Release Inventory (TRI)...	<ul style="list-style-type: none"> <li>Submit data to the EPA using “Form R.”</li> </ul>	40 CFR 372 (EPCRA)
Generates between 100 and 1,000 kg (220 pounds and 2,200 pounds) of hazardous waste per month....	<ul style="list-style-type: none"> <li>Formulate a “Preparedness and Prevention Plan” specified under Subpart C, 40 CFR 265, as required under 40 CFR 262.34(d)(4).</li> <li>Formulate a basic Contingency Plan and Emergency Procedures as specified under 40 CFR 262.34 (d)(5).</li> </ul>	40 CFR 262.34(d) (RCRA)
Generates greater than 1,000 kg (2,200 pounds) of hazardous waste per month...	<ul style="list-style-type: none"> <li>Formulate a “Preparedness and Prevention Plan” specified under Subpart C, 40 CFR 265, as required under 40 CFR 262.34(a)(4).</li> <li>Formulate a full Contingency Plan and Emergency Procedures specified under Subpart D, 40 CFR 265, as required under 40 CFR 262.34(a)(4).</li> </ul>	40 CFR 262.34(a)(4) (RCRA)

## State

State and local emergency response agencies may establish additional and/or more stringent reporting requirements under Section 312 of EPCRA and may require the use of state-specific reporting forms.

## COMPLIANCE REQUIREMENTS

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Following are summaries of emergency response and preparation requirements under OSHA, EPCRA and RCRA:

### Responding to/Planning for a Release Under OSHA

#### *Emergency Action Plans (29 CFR 1910.38)*

If the NPS facility does not allow its employees to engage in clean-up operations involving hazardous material, but has the potential for their release, then an Emergency Action Plan must be established. The Emergency Action Plan must include the following elements:

1. Evacuation plan for personnel, including signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes (in cases where the primary routes could be blocked by releases of hazardous waste or fires).
2. Procedures to notify local agencies that are to conduct clean-up procedures.
3. Clear specification that employees are not to engage in clean-up activities.

#### *Emergency Response Plans (29 CFR 1910.120(q))*

All facilities that engage in clean-up of hazardous materials spills (except incidental spills) are subject to the OSHA HAZWOPER standard contained in 29 CFR 1910.120(q). The plan must address the following procedural requirements:

1. Incident Command Systems (ICS) must be established and led by the senior emergency response official present. The ICS can include the site coordinator, initial respondent, fire chief, or state enforcement official.
2. The individual in charge of the ICS must identify and address the hazardous substances and/or conditions present.
3. Employees engaged in emergency response and potentially exposed to hazardous atmospheres must wear positive pressure self-contained breathing apparatuses, unless the individual in charge of the ICS determines through air monitoring data that a decreased level of protection will be acceptable.
4. The number of emergency response personnel at the emergency site should be limited. However, operations in hazardous areas must be performed using the buddy system in groups of two or more.
5. Back-up personnel must stand by with equipment ready to provide assistance or rescue.
6. There must be a designated safety official who is knowledgeable in the operations being implemented at the emergency response site.
7. When activities are judged by the safety official to be an immediately dangerous to life and health (IDLH) condition and/or to involve an imminent danger condition, the safety official must have the authority to alter, suspend, or terminate those activities. The safety official must immediately inform the individual in charge of the ICS of any actions to be taken to correct these hazards at the emergency scene.
8. Appropriate decontamination procedures must be provided after emergency operations are completed.
9. Support personnel that may be required to perform skilled tasks, such as operating heavy equipment, are not required to be fully trained, but are to be briefed on the hazards which they may encounter.

#### *Training Requirements*

In the event that the NPS facility plans to have its personnel engage in any level of spill clean up, training is required. The level of training is based on the level of response. Training provided to NPS employees is generally limited to the following two levels:

- *Hazardous Material Awareness Level Responder.* For employees who may discover a release of hazardous materials, but are not trained in clean-up procedures. These first responders are trained in the following:
  - An understanding of the risks of hazardous substances;
  - An understanding of the potential risks of a hazardous material release;
  - Recognizing the presence of hazardous substances in an emergency;

- An understanding of the role of the first responder awareness individual, and that they should not perform clean-up operations; and
- Recognizing the need for additional resources, and to make appropriate notifications.
- *Hazardous Material Operations Level Responder.* For individuals who respond to releases or potential releases of hazardous substances and who perform emergency operations. They are trained to respond in a defensive fashion without actually trying to stop the release. Their function is to contain the release from a safe distance, keep it from spreading, and prevent exposures.

Operations level responders participate in at least eight hours of training or have had sufficient experience to objectively demonstrate competency in the following areas, in addition to those listed for the awareness level:

- Knowledge of basic hazard and risk assessment techniques;
- Knowledge of selecting and using proper personal protective equipment;
- An understanding of basic hazardous materials terms;
- Knowledge of performing basic control, containment, and/or confinement operations;
- Knowledge of implementing basic decontamination procedures; and
- An understanding of the relevant standard operating procedures and termination procedures

### **Emergency Planning Community Right to Know (EPCRA) Requirements**

EPCRA contains three subtitles.

- **Subtitle A, Emergency Planning and Notification**, establishes mechanisms to enable states and communities to prepare to respond to unplanned releases of hazardous substances.
- **Subtitle B, Reporting Requirements**, contains three distinct reporting provisions concerning two different groups of chemical substances. The first two sets of reports require submission of inventory-related data on hazardous chemicals (i.e., those substances for which a Material Safety Data Sheet (MSDS) is mandated under the hazard communication regulations of the Occupational Safety and Health Administration). The third reporting provision requires annual reporting, to EPA and the state in which the reporting facility is located, on environmental releases of listed toxic chemicals manufactured, processed, or *otherwise used* at the facility in excess of specified threshold quantities.
- **Subtitle C, General Provisions**, contains a variety of provisions, including, but not limited to, civil, criminal, and administrative penalties for violations of the statute's reporting requirements; enforcement actions that can be brought by citizens, states, and emergency planning and response entities; and restrictions on an owner's or operator's rights to make trade secrecy claims in the reports required by EPCRA.

Regulatory requirements applicable under EPCRA are summarized in Table 1. Each requirement is discussed in more detail below.

Table 1: Summary of EPCRA Regulatory Requirements					
EPCRA Section	Coverage/ Topic	Requirement	Relevant Chemical List	Thresholds	Submit To:
301-303	Emergency Planning	LEPC Emergency Plan, EHS Notification	“Extremely Hazardous Substances” (EHS)	Specified Threshold Planning Quantities (TPQ) 1-10,000 lbs.	SERC/ LEPC
304	Emergency Notification	Accidental Release Reporting	EHS and CERCLA 102(a) “Hazardous Substances”	Specified Reportable Quantities (RQ)	SERC/ LEPC/NRC
311	Hazardous Chemical Inventory	MSDSs or List of Chemicals	Chemicals in Facility Hazard Communication Plan (No Specific List)	10,000 lbs. or, for if an EHSs - TPQ or 500 lbs (whichever is lower)	SERC/ LEPC/ Local Fire Dept.
312	Hazardous Chemical Inventory	Inventories, Hazards and Locations (Tier I or II Reports)	Chemicals in Facility Hazard Communication Plan (No Specific List)	10,000 lbs. or, if an EHSs - TPQ or 500 lbs (whichever is lower)	SERC/ LEPC/ Local Fire Dept
313	Toxic Chemical Release Inventory	Total Annual Releases and Waste Management Data (Form R)	Over 600 Toxic Chemicals and Chemical Categories	10,000 lbs. or other specified threshold	EPA/State

#### Section 301-303 Emergency Planning

Emergency *planning* requirements apply to facilities that store any *extremely hazardous substance* (EHS) equal to or in excess of the specified *threshold planning quantity* (TPQ). EHSs and their corresponding TPQ are listed in Appendix A of 40 CFR 355. Any NPS facility that manages any such substances in quantities exceeding the TPQ noted in that appendix must comply with EPCRA.

Facilities must notify the local or state emergency response commission that they are subject to these emergency planning requirements. For purposes of calculating thresholds, this means the total amount of an EHS present at any one time at a facility, regardless of location, number of containers, or method of storage. The facility is responsible for notifying the appropriate local authority that it is subject to the emergency planning requirements. TPQs for chemicals that may be found at NPS facilities are listed in Table 3.

#### Section 304 Emergency Release Notification

Emergency *release* (see definition above) notification requirements apply to facilities that use or store hazardous substances. The facility must immediately notify the designated state and local emergency authorities if there is a release of a listed EHS or a hazardous substance that equals or exceeds a specified reportable quantity (RQ). RQ triggers for chemicals that may be found at NPS facilities are listed in Table 3.

If the release is a CERCLA-listed hazardous substance, the National Response Center (NRC) in Washington, DC must also be notified (1-800-424-8802). If the release is transportation-related, a 911 call will meet the requirement of notification to the state and local authorities. The NRC must always be contacted for reportable transportation-related releases. The initial notice should give as much information as possible about the release as long as notification is not delayed. The initial notification of a release can be made by telephone, radio, or in person, but must be followed by a written notice to the state and local emergency response authorities as soon as practicable (40 CFR 355.40(b)(3)).

To assist facilities in determining which chemicals may have reporting requirements under the various applicable statutes, EPA produced the “Consolidated List of Chemicals Subject to the Emergency Planning and Community Right-to-Know Act (EPCRA)” (also known as the “List of Lists”). This consolidated list helps facilities handling chemicals determine whether they need to submit reports under sections 302, 304, or 313 of EPCRA and what

reports may need to be submitted. The List of Lists is available online at <<http://www.epa.gov/ceppo/ds-epds.htm - title3>>.

#### *Sec. 311 Chemical Inventory Reporting – MSDS Submission*

Pursuant to 40 CFR 370.21, certain reporting requirements apply to facilities required under OSHA’s Hazard Communication Standard to have Material Safety Data Sheets (MSDSs). The facility is required to submit copies of the MSDSs (or corresponding lists) to the state emergency response commission (SERC), local emergency planning committee (LEPC), and/or the fire department with jurisdiction over the facility. MSDSs (or corresponding lists) must be submitted for each hazardous chemical present at the facility according to the following thresholds:

- All EHSs present at the facility in amounts equal to or greater than 500 pounds. (227 kg, or approximately 55 gal), or the threshold planning quantity, whichever is lower; and
- All hazardous chemicals present at the facility at any one time in amounts equal to or greater than 10,000 pounds (4540 kg). (Note: Hazardous chemicals requiring an MSDS are chemicals designated by OSHA under 29 CFR 1910.1200).

#### *Sec. 312 Chemical Inventory Reporting – Tier I or II Reports*

Pursuant to 40 CFR 370.25, 370.40, 370.41, a facility must submit a Tier I inventory form to the appropriate local authority that has jurisdiction over its facility. “Tier I” information is considered basic inventory information for hazardous chemicals present at the facility during the preceding calendar year above the *threshold* levels. The minimum threshold level for reporting under this regulation for EHSs is 500 pounds, approximately 55 gallons, or the TPQ, whichever is lower. For all other hazardous chemicals, the threshold is 10,000 pounds. “Tier II” information must be submitted to local authorities only if requested by that local authority.

A facility subject to this reporting requirement shall submit the Tier I form (or Tier II form) annually on or before March 1, covering all hazardous chemicals present at a facility at any one time during the preceding calendar year in amounts equal to or greater than their thresholds.

A facility that submits an inventory form must allow on-site inspection by the fire department having jurisdiction over the facility upon request of the department, and shall provide to the department specific location information on hazardous chemicals at the facility.

**Table 2: Substances Found at NPS Facilities That Trigger EPCRA Requirements**

Chemical <sup>1</sup>	EPCRA TPQ Sec. 302	EPCRA RQ Sec. 304	CERCLA RQ	TRI Sec. 313
Acetone			5,000	
Ammonia	500	100	100	Y
Benzene		10		Y
Chlorine	100	10	10	Y
Ethanol	1,000	1,000		
Formaldehyde	500	100	100	Y
Hydrogen Peroxide	1,000	1,000		
Lead			10	Y/100
Mercury			1	Y/10
Methylene chloride			1,000	Y
Phosphorus	100	1	1	Y
Sulfuric Acid	1,000	1,000	1,000	Y (aerosol only)
Toluene			1,000	Y

<sup>1</sup> To find information about other chemicals, a searchable database of EPA’s Consolidated List of Lists is available online at <http://130.11.53.73/ol/>

#### *Sec. 313 Toxic Chemical Release Reporting*

EPCRA Section 313 requires EPA and the States to annually collect data on releases and transfers of certain toxic chemicals and make the data available to the public in the Toxics Release Inventory (TRI). That data is gathered through use of a toxic chemical release form known as “Form R.” The Form R must be submitted for each toxic



chemical manufactured, processed, or otherwise used in quantities exceeding minimum threshold values during the preceding calendar year (see Table 2 for a list of chemicals typically used at NPS facilities, that trigger Form R reporting requirements; the threshold for reporting is 10,000 pounds, unless otherwise noted). For parks, it is more likely that only the “otherwise used” threshold will be applicable.

*Otherwise used* means that a chemical is used in a manner that is not covered under the terms “manufacture” or “process.” For instance, “otherwise used” includes the solvents in paints and finishes. Solvents are not intended to be incorporated into the final product, hence they were not manufactured or processed, but they were otherwise used.

On April 2001, EPA lowered the TRI Form R reporting threshold for lead and lead compounds to 100 pounds. Facilities will be required to report any releases of lead and lead compounds if it otherwise uses more than 100 pounds of lead or lead compounds in a calendar year. These new reporting requirements will be applicable to Form Rs to be submitted by July 1, 2002. (NOTE: At an NPS facility, reportable “releases” of lead may occur with the release of lead shot at firing ranges.)

To comply with this new TRI requirement, facilities have to calculate the amount of lead and lead compounds that they otherwise use to determine whether they trigger the 100-pound threshold starting January 1, 2001. Given the relatively low reporting thresholds, parks may trigger the TRI reporting requirements for lead and lead compounds.

To assist facilities in complying with the new TRI reporting requirement for lead and lead compounds, EPA recently finalized its guidance document entitled, “Emergency Planning and Community Right-To-Know Act - Section 313: Guidance for Reporting Releases and Other Waste Management Quantities of Toxic Chemicals: Lead and Lead Compounds.” This guidance document can be found on EPA’s TRI home page at

<<http://www.epa.gov/tri/enviro>>.

### **Preparing for a Release of Hazardous Waste Under RCRA (40 CFR 262.34)**

#### *Preparedness and Prevention Plan*

Large quantity generators (LQG) and small quantity generators (SQGs) of hazardous waste must prepare a plan that identifies equipment and procedures to minimize the potential for, and respond quickly to, a release of hazardous waste. Elements of a Preparedness and Prevention Plan include:

- Maintenance and operation procedures to minimize the possibility of a fire, explosion, or any release of hazardous waste or hazardous waste constituents.
- Provision of equipment, including the following:
  - a. An internal communications or alarm system capable of providing immediate emergency instruction to NPS facility personnel;
  - b. A device, such as a radio, immediately available at the scene of operations capable of summoning emergency assistance from local emergency responders; and
  - c. Portable fire extinguishers, fire control equipment, spill control equipment, and decontamination equipment.

All such equipment must be tested and maintained as necessary to ensure its proper operation in time of emergency.

- Access to communications or alarm systems whenever hazardous waste is being handled, and when only one employee is on the premises during operations.
- Maintenance of aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of operation in an emergency, unless aisle space is not needed for any of these purposes.
- Development of relationships with local authorities most likely to be called upon to respond to an emergency including:

This document does not necessarily contain all information needed to determine compliance status.

- a. Familiarizing potential emergency responders with the layout of the NPS facility, properties of hazardous waste handled at the facility and associated hazards, places where personnel would normally be working, entrances to roads inside the facility, and possible evacuation routes.
- b. Establishing agreements with emergency responders, emergency response contractors, and equipment suppliers to ensure their resources are available at all times. Where state or local authorities decline to enter into such arrangements, the owner or operator must document the refusal in the operating record.
- c. Familiarizing local hospitals and other potential emergency care providers with the properties of hazardous waste handled at the location and the types of injuries or illnesses which could result from fires, explosions, or releases at the facility.

#### *Contingency Plan and Emergency Procedures*

SQGs of hazardous waste are required to implement a basic contingency plan that includes:

- A provision that at all times there be at least one employee either on the premises or on call (i.e., available to respond to an emergency by reaching the facility within a short period of time) with the responsibility for coordinating all emergency response measures. This employee is the “emergency coordinator.”
- Posting the following information next to the telephone:
  - a. The name and telephone number of the emergency coordinator;
  - b. Location of fire extinguishers and spill control material, and, if present, fire alarm; and
  - c. The telephone number of the fire department, unless the facility has a direct alarm.
- Training that enables all employees to be thoroughly familiar with proper waste handling and emergency procedures relevant to their responsibilities during normal facility operations and emergencies.

LQGs of hazardous waste are required to implement a full contingency plan as specified at Subpart D of 40 CFR 265. Required elements of the written plan include:

- A description of the actions facility personnel must take to respond to an emergency such as response to fires, explosions, or any unplanned release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the facility.
- If the facility has already prepared a Spill Prevention, Control, and Countermeasures (SPCC) Plan (see SPCC Plan EnviroCheck Sheet), or some other emergency or contingency plan, it need only amend that plan to incorporate hazardous waste management provisions sufficient to comply with regulations.
- A description of arrangements agreed to by local police departments, fire departments, hospitals, contractors, and state and local emergency response teams to coordinate emergency services.
- A list of names, addresses, and phone numbers (office and home) of all persons qualified to act as “emergency coordinator,” which must be kept up to date. Where more than one person is listed, one must be named as primary emergency coordinator and others must be listed in the order in which they will assume responsibility as alternates.
- A list of all emergency equipment at the facility (such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment) where this equipment is required. This list must be kept up to date. In addition, the plan must include the location and a physical description of each item on the list, and a brief outline of its capabilities.
- An evacuation plan for facility personnel where there is a possibility that evacuation could be necessary. This plan must describe signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes (in cases where the primary routes could be blocked by releases of hazardous waste or fires).

Emergency response procedures are specified at 40 CFR 265.56. The regulations specify such procedures as activating alarms in the event of a fire and contacting the state or local agencies where necessary.

## **Integrated Contingency Plans**

There are overlapping planning requirements for the various contingency plans identified above. EPA allows, and encourages, the integration of certain environmental preparedness and prevention plans. Guidance on plan integration is provided in 61 CFR 169. An integrated plan may serve for locations with multiple plan requirements where response staff would be the same.

### **FOR MORE INFORMATION**

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- List of state contacts for emergency response reporting requirements <<http://www.epa.gov/tri/statecon.htm>>
- Department of Labor, Program Highlights, Fact Sheet No. OSHA 92-19, "RESPONDING TO WORKPLACE EMERGENCIES."
- Integrated Contingency Plan, Federal Register, June 5, 1996, Vol. 61, No. 169.
- OSHA Hotline: Referral Service for OSHA programs, 800-321-6742.
- OSHA Internet Site: <<http://www.osha-slv.gov/>>
- EPCRA Hotline Training Modules: <<http://www.epa.gov/epaoswer/hotline/emods.htm>>



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*Emergency Planning and Reporting*  
*June 2002 Update*

CHECKLIST ITEM		PRIORITY	NOTES
<b><i>Emergency Planning for all NPS Facilities</i></b>			
1.	A safety specialist, or their designee, is designated to be responsible for the aspects of the emergency response plan. [BMP]	3	
2.	Adequate emergency spill response clean up equipment is provided at the facility. [29 CFR 1910.120(j)(1)(vii)]	2	
3.	Appropriate emergency response personal protective equipment is available at the facility. [29 CFR 1910.120 (g)(5)]	2	
<b><i>OSHA Planning Requirements (29 CFR 1910.38 and 1910.120)</i></b>			
<i>Before answering questions 4-21, facilities must determine whether the Emergency Action Plan or Emergency Response Plan applies to their facility.</i>			
4.	Training is conducted, and training records are maintained, for personnel participating at the "Awareness Level" in responding to incidental spills in the Emergency Action Plan. [29 CFR 1910.38(a)(5)]	2	
5.	Training is conducted, and training records are maintained, for personnel participating at the "Operations Level" or higher level for responding to larger spills in the Emergency Response Plan. [29 CFR 1910.120 (e)(7)]	2	
6.	If facility employees are not allowed to engage in clean-up operations, but the park has the potential for a hazardous materials release, an Emergency Action Plan has been developed that has: <ul style="list-style-type: none"> <li>An evacuation plan for personnel, including signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes (in cases where the primary routes could be blocked by releases of hazardous waste or fires); and</li> <li>Procedures to notify local agencies that are to conduct clean-up procedures.</li> </ul> [29 CFR 1910.38(a)]	2	
7.	If <b>all</b> facility employees are not allowed to engage in clean-up operations, but there is the potential for a hazardous materials substance release, the facility's Emergency Response Plan includes clear specification that employees are not to engage in clean-up activities unless they are authorized under an Emergency Response Plan. [29 CFR 1910.120 (l)(1)(ii)]	2	
8.	The facility's Emergency Response Plan includes pre-emergency planning and coordination with outside parties. [29 CFR 1910.120 (q)(2)(i)]	2	
9.	The facility's Emergency Response Plan includes personnel roles, lines of authority, training, and communication. [29 CFR 1910.120 (q)(2)(ii)]	2	
10.	The facility's Emergency Response Plan includes emergency recognition and prevention. [29 CFR 1910.120 (q)(2)(iii)]	2	
11.	The facility's Emergency Response Plan includes safe distances and places of refuge. [29 CFR 1910.120 (q)(2)(iv)]	2	
12.	The facility's Emergency Response Plan includes site security and control measures (or procedures). [29 CFR 1910.120 (q)(2)(v)]	2	
13.	The facility's Emergency Response Plan includes evacuation routes and procedures. [29 CFR 1910.120 (q)(2)(vi)]	2	

This document does not necessarily contain all information needed to determine compliance status.

CHECKLIST ITEM		PRIORITY	NOTES
14.	The facility's Emergency Response Plan includes decontamination procedures. [29 CFR 1910.120 (q)(2)(vii)]	2	
15.	The facility's Emergency Response Plan includes emergency medical treatment and first aid procedures. [29 CFR 1910.120 (q)(2)(viii)]	2	
16.	The facility's Emergency Response Plan includes emergency alerting and response procedures. [29 CFR 1910.120 (q)(2)(ix)]	2	
17.	The facility's Emergency Response Plan includes a critique of response and follow-up. [29 CFR 1910.120 (q)(2)(x)]	2	
18.	The facility's Emergency Response Plan includes personal protective equipment and emergency equipment. [29 CFR 1910.120 (q)(2)(xi)]	2	
19.	The facility's Emergency Response Plan allows emergency response organizations to use the local emergency response plan or the state emergency response plan, or both, as part of their emergency response plan to avoid duplication. Those items of the emergency response plan that are being properly addressed by the SARA Title III plans may be substituted into their emergency plan or otherwise kept together for the employer and employee's use. [29 CFR 1910.120 (q)(2)(xii)]	2	
20.	Facility staff who may observe a hazardous materials spill and report that spill to those capable of responding to the spill have received first responder awareness level training. [29 CFR 1910.120 (q)(6)(i)]	2	
21.	Facility staff who may respond to spills of hazardous material in a defensive manner have received at least eight (8) hours of training at the first responder operations level. First responders at the operations level are individuals who respond to releases, or potential releases of hazardous substances, as part of the initial response to the site for the purpose of protecting nearby persons, property, or the environment from the effects of the release. [29 CFR 1910.120 (q)(6)(ii)]	2	
<b>EPCRA Reporting (40 CFR 355 and 370)</b>			
Section 301-303 Emergency Planning			
<i>Questions 22-24 apply <b>only</b> if the facility stores extremely hazardous substances (EHS) equal to or in excess of the "threshold planning quantities" listed in Appendix A of 40 CFR 355.</i>			
22.	The Emergency Response Commission for the state has received notification that the facility is subject to the emergency planning requirements of EPCRA. [40 CFR 355.30(b)]	2	
23.	A representative for the park has been chosen to participate in the local emergency planning process as the facility emergency response coordinator. [40 CFR 355.30(c)]	2	
24.	Local officials are notified of any changes made in emergency planning as a result. [40 CFR 355.30(d)]	2	

CHECKLIST ITEM		PRIORITY	NOTES
<p style="text-align: center;"><i>Section 304 - Emergency Release Notification</i>  <i>Questions 25-26 apply to accidental releases of EHSs and CERCLA "hazardous substances."</i></p>			
25.	In the event of a release of an "extremely hazardous substance" or a CERCLA "hazardous substance, the facility immediately notifies the community emergency coordinator for the local emergency planning committee of any area likely to be affected by the release and the State emergency response commission of any State likely to be affected by the release. [40 CFR 355.40(b)]	1	
26.	If a release has occurred, and after initial notification to the appropriate parties, a written follow-up emergency notice is distributed including additional information pertaining to the spill (i.e., actions taken to contain the spill, acute health risks, medical advice). [40 CFR 355.40(b)(3)]	2	
<p style="text-align: center;"><i>Section 311 and 312 – Chemical Inventory Reporting</i>  <i>Questions 27-28 apply to facilities required to have available a material safety data sheet (MSDS) for a hazardous chemical under the Occupational Safety and Health Act of 1970. The minimum threshold level for reporting under this regulation for extremely hazardous substances is: 500 pounds, approximately 55 gallons, or the TPQ, whichever is lower; and 10,000 pounds for all other hazardous chemicals.</i></p>			
27.	MSDSs (or a list of chemicals and hazard information) of applicable materials are submitted to the state emergency response commission, local emergency response committee, and fire department officials. [40 CFR 370.20(c)]	2	
28.	Tier I reports (or Tier II if requested by the state) are submitted annually to the state emergency response commission, local emergency response committee, and/or fire department officials, if chemicals present at the facility exceed the minimum thresholds. [40 CFR 370.20(d)]	2	
<p style="text-align: center;"><i>Section 313 - Toxic Release Inventory Reporting</i>  <i>Questions 29-32 apply only if the facility uses designated chemicals above minimum thresholds (see page 8 above for information regarding threshold reporting levels)</i></p>			
29.	The facility submits the appropriate Form R report by July 1 for each year where the threshold use quantity was exceeded. [40 CFR 372.27]	2	
30.	The facility maintains a copy of each Form R report submitted to EPA or the state. [40 CFR 372.10(a)(1)]	2	
31.	The facility maintains a copy of documents used to display the facility's compliance status under this requirement. [40 CFR 372.10(a)(2)]	2	
32.	The facility maintains all documentation used to determine reportable chemicals. [40 CFR 372.10(a)(3)]	2	
<p style="text-align: center;"><b><i>Preparing for a Release of Hazardous Waste Under RCRA (40 CFR 262.34)</i></b>  <i>Preparing for a release includes formal procedures to prepare for and prevent a release as well as Contingency Planning requirements</i></p>			
<p style="text-align: center;"><i>Preparedness and Prevention Requirements (40 CFR 265 Subpart C)</i>  <i>Questions 33-38 apply to large and small quantity generators of hazardous waste pursuant to 40 CFR 262.34(a)(4) for LQGs and 40 CFR 262.34(d)(4) for SQGs.</i></p>			
33.	Park maintenance and operation procedures minimize the possibility of a fire, explosion, or any release of hazardous waste or hazardous waste constituents. [40 CFR 265.31]	1	

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CHECKLIST ITEM		PRIORITY	NOTES
34.	In areas where hazardous waste is handled, the park is equipped with the following: <ul style="list-style-type: none"> <li>An internal communications or alarm system capable of providing immediate emergency instruction to NPS facility personnel;</li> <li>A device, such as a radio, immediately available at the scene of operations capable of summoning emergency assistance from local emergency responders; and</li> <li>Portable fire extinguishers, fire control equipment, spill control equipment, and decontamination equipment.</li> </ul> [40 CFR 265.32]	1	
35.	Equipment listed in question 34 is tested and maintained as necessary to assure its proper operation in time of emergency. [40 CFR 265.33]	2	
36.	Whenever hazardous waste is being handled, or if only one employee is on the premises during operations, park staff has access to an internal alarm or emergency communication device. [40 CFR 265.34]	2	
37.	In areas where hazardous waste is handled, sufficient aisle space is maintained to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of operation in an emergency, unless aisle space is not needed for any of these purposes. [40 CFR 265.35]	2	
38.	Arrangements, appropriate for the types of hazardous waste handled at the park, have been made with local authorities. Such arrangements may include: <ul style="list-style-type: none"> <li>Familiarizing potential emergency responders with the layout of the NPS facility, properties of hazardous waste handled at the facility and associated hazards, places where personnel would normally be working, entrances to roads inside the facility, and possible evacuation routes.</li> <li>Establishing agreements with emergency responders, emergency response contractors, and equipment suppliers, to ensure their resources are available at all times. Where state or local authorities decline to enter into such arrangements, the owner or operator must document the refusal in the operating record.</li> <li>Familiarizing local hospitals and other potential emergency care providers with the properties of hazardous waste handled at the location and the types of injuries or illnesses which could result from fires, explosions, or releases at the facility.</li> </ul> [40 CFR 265.36]	2	
<p style="text-align: center;"><i>Contingency Planning and Emergency Procedures for SQGs</i>  <i>SQGs are required to have a basic contingency plan and formalized emergency procedures pursuant to 40 CFR 262(d)(5).</i></p>			
39.	At all times, there is at least one employee either on the premises or on call with the responsibility for coordinating all emergency response measures related to hazardous waste management. [40 CFR 262.34(d)(5)(i)]	2	

CHECKLIST ITEM		PRIORITY	NOTES
40.	The following information is posted next to the telephone: <ul style="list-style-type: none"> <li>Name and telephone number of the emergency coordinators;</li> <li>Location of fire extinguishers and spill control materials, and, if present, fire alarm; and</li> <li>Telephone number of the fire department.</li> </ul> [40 CFR 262.34(d) (5)(ii)]	2	
41.	All employees are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal Park operations and emergencies. [40 CFR 262.34(d)(5)(iii)]	1	
42.	The emergency coordinator responds to emergencies such as fires or hazardous waste spills. [40 CFR 262.34(d)(5)(iv)]	1	
43.	In the event of a release which could threaten human health outside the general area in which hazardous waste is stored, or when the park has knowledge that a spill has reached surface water, the National Response Center (NRC) is contacted immediately and provided with the following information: <ul style="list-style-type: none"> <li>Name, address and EPA ID Number of the facility;</li> <li>Date, time and type of incident;</li> <li>Quantity and type of hazardous waste involved in the incident;</li> <li>Extent of injuries if any; and</li> <li>Estimated quantity and disposition of recovered materials, if any.</li> </ul> [40 CFR 262.34(d)(5)(iv)(C)]	2	
<p style="text-align: center;"><i>Contingency Planning and Emergency Procedures for LQGs</i>  Pursuant to 40 CFR 262(a)(4), LQGs are required to have a full Contingency Plan and Emergency Procedures that are implemented immediately in the event of a fire, explosion or release of hazardous waste which could threaten human health or the environment.</p>			
44.	The facility's contingency plan includes a description of the actions facility personnel must take to respond to an emergency such as response to fires, explosions, or any unplanned release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the facility. [40 CFR 265.52(a)]	2	
45.	If the facility has a Spill Prevention, Control, and Countermeasures (SPCC) Plan (see SPCC Plan EnviroCheck Sheet), or some other emergency or contingency plan, that plan may be amended to incorporate hazardous waste management provisions sufficient to comply with regulations. [40 CFR 265.52(b)]	2	
46.	The facility's contingency plan includes a description of arrangements agreed to by local police departments, fire departments, hospitals, contractors, and state and local emergency response teams, to coordinate emergency services. [40 CFR 265.52(c)]	2	
47.	The facility's contingency plan includes a list of names, addresses, and phone numbers (office and home) of all persons qualified to act as "emergency coordinator." Where more than one person is listed, one person is named as primary emergency coordinator and others are listed in the order in which they will assume responsibility as alternates. [40 CFR 265.52(d)]	2	



CHECKLIST ITEM	PRIORITY	NOTES
48. The facility's contingency plan includes a list of all emergency equipment at the facility (such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment), where this equipment is required. The plan includes the location and a physical description of each item on the list, and a brief outline of its capabilities. [40 CFR 265.52(e)]	2	
49. The facility's contingency plan includes an evacuation plan for facility personnel where there is a possibility that evacuation could be necessary. This plan describes signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes (in cases where the primary routes could be blocked by releases of hazardous waste or fires). [40 CFR 265.52(f)]	2	
50. Copies of the facility's contingency plan are maintained at the facility and submitted to all local police and fire departments, hospitals, and state and local emergency response teams that may be called upon to provide emergency services. [40 CFR 265.53]	2	
51. The contingency plan is reviewed and immediately amended if: <ul style="list-style-type: none"> <li>• Applicable regulations change;</li> <li>• The plan fails in an emergency;</li> <li>• The facility changes significantly in a way that would increase the potential for a fire, explosion or release of hazardous waste; or</li> <li>• The list of emergency coordinators or emergency equipment changes.</li> </ul> [40 CFR 265.54]	2	
52. At all times, there is at least one employee either on the facility premises or on call (i.e., available to respond to an emergency by reaching the facility within a short period of time), with the responsibility for coordinating all emergency response measures. The emergency coordinator is thoroughly familiar with all aspects of the facility's contingency plan, all operations and activities at the facility, the location and characteristics of waste handled, the location of all records within the facility, and the facility layout. This person has the authority to commit the resources needed to carry out the contingency plan. [40 CFR 265.55]	2	
53. The individual designated as the emergency coordinator is familiar with, and capable of, implementing procedures that would be required in the event of an emergency. (Note: Applicable responsibilities for the emergency coordinator will vary, depending on factors such as type and variety of waste(s) handled by the facility, and type and complexity of the facility. Emergency procedures may include activating alarms, notifying appropriate state or local agencies, or knowing the character and extent of hazardous waste that was released.) [40 CFR 265.56]	1	